

**GUILTY PLEA FELONY INDICTMENT MINUTES**

Time Set: 12:00 p.m.  
 Started: 12:27 pm  
 Ended: 12:57 pm

Date: 09/08/2016  
 Presiding Judge: Douglas E. Miller, USMJ  
 Courtroom Deputy: Gristi Dodel  
 Reporter: Jody Stewart, ODR  
 U.S. Attorney: Beth Yusi  
 Defense Counsel: Leslie Fisher  
 ( ) Retained ( ) Court appointed (x) AFD  
 Interpreter:  
 U.S. Probation Officer: Ryan Hurd

Case Number: 2:16cr36  
 USA v Gerald Andrew Darby

(x) in custody ( ) on bond

- (x) Defendant requested to withdraw plea of not guilty to Count(s) One and enter a plea of guilty to said Count(s).  
 (x) Consent to Proceed before a U.S. Magistrate Judge pursuant to Rule 11, executed and filed in open court.  
 (x) Defendant sworn.  
 (x) Court fully advised defendant of rights, charges, and maximum penalties. Defendant acknowledged he/she understood.  
 (x) Plea agreement reviewed, executed, and filed in open court. ( ) No plea agreement.  
 (x) Court inquired as to voluntariness of plea.  
 (x) Court inquired as to threats or promises.  
 (x) Court advised defendant that by pleading guilty the right to a trial by jury is waived.  
 ( ) Court accepts plea of guilty as to Count(s) One  
 (x) Plea of guilty entered.  
 (x) Defendant satisfied with services of counsel.  
 (x) Court inquired re: plea negotiations  
 (x) Remaining count(s) to be dismissed at Sentencing.  
 (x) Statement of Facts executed and filed in open court.  
 (x) Continued for pre-sentence report.  
 (x) Court explained to defendant that by pleading guilty right to appeal is waived pursuant to plea agreement.  
 (x) Sentencing set: 12/15/16 @ 10am before U.S. District Judge RGIS  
 (x) Norfolk ( ) Newport News  
 (x) Unsigned Sentencing Procedure Order provided to defendant.  
 (x) Sentencing Procedure Order entered and filed in open court.  
 ( ) Order Accepting Plea of Guilty entered and filed in open court.  
 ( ) Court ( ) finds ( ) withholds finding defendant guilty as charged in Count (s) \_\_\_\_\_  
 ( ) Defendant continued on bond. ( ) See Additional conditions of release.  
 ( ) Bond set \_\_\_\_\_ ( ) See conditions of Release  
 (x) Defendant remanded to custody of U.S. Marshal.  
 ( ) Transportation Order entered and filed in open court.  
 (x) Court to prepare an R: R  
 ( )